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IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

MONTE L. HANEY,

Petitioner,

v.

DERRAL G. ADAMS, Warden,

Respondent.

C 07-4682 CRB (PR)

**DECLARATION OF
 COUNSEL IN SUPPORT OF
 MOTION TO ENLARGE
 TIME TO FILE RESPONSE
 TO PETITION FOR WRIT OF
 HABEAS CORPUS**

I, MICHELE J. SWANSON, declare under penalty of perjury as follows:

I am a Deputy Attorney General for the State of California and am assigned to represent respondent in this case. Respondent's answer or other responsive pleading is due May 12, 2008, pursuant to this Court's March 18, 2008 order granting respondent's first motion for an enlargement of time. I am unable to meet this deadline, and request a second enlargement of time to file a response to the petition for writ of habeas corpus for the following reasons.

In the past 30 days, I have completed an answer to a petition for writ of habeas corpus in *Bedford v. Ayers* (06-0748 CW (PR)), motions to dismiss petitions for writ of habeas corpus in *Weisner v. Evans* (07-5509 SI (pr)) and *Parnell v. Evans* (C 05-4324 SBA (pr)), and a Ninth

1 Circuit appellee's brief in *Ali v. Hickman* (07-16731). I am also still waiting for documents from
2 the state court that are necessary for resolution of this matter. For these reasons, I am unable to
3 file the response in this case by the current deadline.

4 I have not attempted to contact petitioner about this extension of time because he is an
5 incarcerated state prisoner who is representing himself.

6 Accordingly, I request that the Court grant respondent an extension of 60 days, to and
7 including July 11, 2008, in which to file a response to the petition.

8 I declare under penalty of perjury that the foregoing is true and correct.

9 Executed at San Francisco, California, on May 12, 2008.

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11 /s/ Michele J. Swanson
12 MICHELE J. SWANSON
13 Deputy Attorney General

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